

## **IC 4-4-27**

### **Chapter 27. Inspection of Grain Moisture Testing Equipment**

#### **IC 4-4-27-0.2**

##### **No effect of amendments made by P.L.101-1992 on rights or liabilities accrued, penalties incurred, crimes committed, or proceedings begun**

Sec. 0.2. The amendments made by P.L.101-1992 to IC 16-5-2 (repealed) (now codified in this chapter) do not affect:

- (1) rights or liabilities accrued;
- (2) penalties incurred;
- (3) crimes committed; or
- (4) proceedings begun;

before July 1, 1992. Those rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced under IC 16-5-2 (repealed) (as in effect before July 1, 1992) as if P.L.101-1992 had not been enacted.

*As added by P.L.220-2011, SEC.23.*

#### **IC 4-4-27-1**

##### **Annual inspection and testing of equipment**

Sec. 1. The director of the department of agriculture or the director's designee shall, at least one (1) time each year, inspect and test all equipment used to test the moisture and the foreign material and dockage content of grain purchased, sold, or exchanged in Indiana.

*As added by P.L.2-1993, SEC.32. Amended by P.L.1-2006, SEC.46.*

#### **IC 4-4-27-2**

##### **Seals**

Sec. 2. Each piece of equipment that is tested and found to be true in accordance with rules or standards prescribed by the National Institute of Standards and Technology, the United States Department of Agriculture, and the department of agriculture must bear a seal issued by the office of the director of the department of agriculture to that effect with the date of inspection and expiration date.

*As added by P.L.2-1993, SEC.32. Amended by P.L.1-2006, SEC.47.*

#### **IC 4-4-27-3**

##### **Fees**

Sec. 3. (a) The director of the department of agriculture or the director's designee shall charge a fee of ten dollars (\$10) for each moisture testing device inspected from each inspection site under this chapter.

(b) All fees shall be deposited in the grain buyers and warehouse licensing agency license fee fund established by IC 26-3-7-6.3.

*As added by P.L.2-1993, SEC.32. Amended by P.L.1-2006, SEC.48; P.L.207-2007, SEC.1.*

#### **IC 4-4-27-4**

**Appropriation**

Sec. 4. Money shall be appropriated to the department of agriculture for the use of the office in carrying out this chapter.

*As added by P.L.2-1993, SEC.32. Amended by P.L.1-2006, SEC.49.*

**IC 4-4-27-5****Rules; adoption**

Sec. 5. The department of agriculture may adopt rules under IC 4-22-2 to administer this chapter.

*As added by P.L.2-1993, SEC.32. Amended by P.L.1-2006, SEC.50.*

**IC 4-4-27-6****Powers of department of agriculture**

Sec. 6. The department of agriculture may:

- (1) employ such persons;
- (2) make such expenditures;
- (3) require such reports and records;
- (4) make such investigations; and
- (5) take such other action;

as the department of agriculture considers necessary or suitable for the proper administration of this chapter.

*As added by P.L.2-1993, SEC.32. Amended by P.L.1-2006, SEC.51.*

**IC 4-4-27-7****Chapter and rules; posting**

Sec. 7. A copy of this chapter and all rules adopted under this chapter shall be posted in a conspicuous manner and placed at every commercial grain buying site.

*As added by P.L.2-1993, SEC.32.*

**IC 4-4-27-8****Use of equipment without seal; offense**

Sec. 8. A person who recklessly uses equipment:

- (1) to ascertain the moisture and the foreign material and dockage content of grain in the process of commercial buying or selling of grain; and
- (2) that does not bear the seal required by section 2 of this chapter;

commits a Class B misdemeanor.

*As added by P.L.2-1993, SEC.32.*